Appendix A

Number 9 Original

RECEIVED
JUN 25 1971
OFFICE OF THE CLERK
SUPREME COURT, U.S.

In the Supreme Court of the United States

OCTOBER TERM, 1970

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF LOUISIANA, ET AL.

Objection of the State of Louisiana to the Right of the United States at this time to file a Motion for Entry of Supplemental Decree as to the State of Louisiana (No. 3) and Memorandum in Support of Objection

JACK P. F. GREMILLION,
Attorney General.

JOHN L. MADDEN,
Assistant Attorney General.

PAUL M. HEBERT,
VICTOR A. SACHSE,
OLIVER P. STOCKWELL,
FREDERICK W. ELLIS,
WILLIAM E. SHADDOCK,
W. THOMAS TETE,
Special Assistant Attorneys General.

State of Louisiana,
State Capitol,
Baton Rouge, Louisiana 70804.

Appendix B

TIDELANDS STAFF
ROOM 410 OLD LNB BLDG.
150 THIRD STREET
BATON ROUGE, LA. 70801

State of Louisiana
DEPARTMENT OF JUSTICE
Baton Rouge
70804

JACK P. F. GREMILLION
ATTORNEY GENERAL

May 19, 1971

E. Robert Seaver, Esquire
Clerk, Supreme Court of the United States
Washington, D. C.

Re: United States v. State of Louisiana, No. 9 Original, Supreme Court

Dear Mr. Seaver:

The United States of America has notified the State of Louisiana that it has filed a motion for a supplemental decree in Original No. 9. No order from the Court has been received and, hopefully, none will be forthcoming now.

Pursuant to the opinion of the Court of March 3, 1969, 394 U.S. 11, Walter P. Armstrong, Jr. Esquire, of Memphis was appointed Special Master to make a preliminary determination consistent with the opinion of the Court.

Hearings have been conducted and were in progress when the above mentioned motion was filed but motions are also pending before the Special Master and counsel of Louisiana are seeking now to devote

their attention to the completion of the hearings. Louisiana will wish to file an opposition to the motion of the Government, as distinguished from an opposition to the proposed decree, which Louisiana thinks would come later, and only if it is first determined that the motion of the Government should be considered prior to the report of the Special Master. Louisiana respectfully asks whether it can through July 20, 1971, to file its opposition to the motion itself.

Sincerely yours,

VICTOR A. SACHSE
Special Assistant Attorney General

VAS:jgs

cc: George Swarth, Esquire
Jonathan I. Charney, Esquire
Attorney General Jack P. F. Gremillion
Dean Paul M. Hebert
Oliver P. Stockwell, Esquire
Frederick W. Ellis, Esquire

Appendix C

TIDELANDS STAFF
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State of Louisiana

DEPARTMENT OF JUSTICE

Baton Rouge

70804

JACK P. F. GREMILLION
ATTORNEY GENERAL

August 27, 1971

Supreme Court of the United States
Office of the Clerk
E. Robert Seaver, Esq.
Clerk of the Court
Supreme Court of the United States
Washington, D. C. 20543

Re: *United States vs. State of Louisiana, et al*
No. 9, Original

Dear Mr. Seaver,

The United States filed with the Clerk of United States Supreme Court Motion for Entry of a Supplemental Decree as to the State of Louisiana (No. 3) in which the Court was asked to require the State of Louisiana to respond within sixty days.

No order permitting the filing of the Motion or requiring Louisiana to respond has issued from the Court.

Louisiana has filed objection to the right of the United States to file the motion at this time and has shown that by Order of May 19, 1969, the Court referred issues to Walter P. Armstrong, Jr., Esq. and hearings

had proceeded pursuant to that order. Louisiana points out in its objection that the entirety of the case and not a portion of it could reach the Court after Special Master Armstrong has submitted his findings. Louisiana concluded its objection thus:

III.

> "For these reasons the right of the United States to file a motion for entry of supplemental decree as to the State of Louisiana (No. 3) should be denied and no order issued requiring Louisiana to respond.

IV.

> In the alternative, if the Court permits the filing of the motion, the State of Louisiana's time to respond should be extended until the Special Master files his report with this Court and in no event less than one hundred and twenty (120) days from the date the Court permits the filing of the motion."

Louisiana would like to be assured that all that is before the Court at this time is Louisiana's objection to the timeliness of the Motion. If the Motion itself is to be considered on the merits, Louisiana would like to be assured that it will be afforded a proper opportunity to respond.

With the opening of the Court approaching, Louisiana respectfully requests an early response.

Sincerely yours,

VICTOR A. SACHSE

VAS/vu

cc/Lawrence G. Wallace, Esq.
George Swarth, Esq.
Jonathan Charney, Esq.

bcc/Hon. Jack P. F. Gremillion
Paul M. Hebert, Esq.
Oliver P. Stockwell, Esq.
William E. Shaddock

Appendix D

TIDELANDS STAFF
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BATON ROUGE, LA. 70801

State of Louisiana

DEPARTMENT OF JUSTICE

Baton Rouge

70804

JACK P. F. GREMILLION
ATTORNEY GENERAL

October 5, 1971

Mr. Michael Rodak, Deputy Clerk
Supreme Court of the United States
Washington, D. C.

Re: *United States vs. State of Louisiana, et al*
No. 9, Original

Dear Mr. Rodak,

Thank you very much for your courtesy in taking so much time out to work on the problem of *United States vs. State of Louisiana, et al*, No. 9, Original. As I understand it, our objection will be docketed retroactive to the date of its filing, June 25, 1971, and you will take the matter up further with the Court.

On behalf of Mr. Victor A. Sachse and in connection with his letter of August 27, I should especially like to thank you for the assurance that you gave me that Louisiana would be given an opportunity to file an answer to the United States' Motion before any supplemental decree might be granted.

In the meantime, we are looking forward to hearing from you when the matter has been further clarified.

Sincerely,

W. THOMAS TETE [by Frederick W. Ellis]
Special Assistant
Attorney General

WTT/vu

cc/Lawrence G. Wallace, Esq.
George Swarth, Esq.
Jonathan Charney, Esq.

bcc/Hon. Jack P. F. Gremillion
Paul M. Hebert, Esq.
Victor A. Sachse, Esq.
Oliver P. Stockwell, Esq.
William E. Shaddock, Esq.

PROOF OF SERVICE

I, the undersigned, authorized to act on behalf of the State of Louisiana, certify that copies of the foregoing motion have been properly served on the 11th day of October, 1971 by mailing copies, suficient postage prepaid, to the offices of the Attorney General and of the Solicitor General of the United States, respectively, in the Department of Justice Building, Washington, D. C.

/s/ Jack P. F. Gremillion